

What acts of the creditor will discharge a surety.

If all the creditor's remedies be expressly reserved, the surety will not be discharged by any act of the creditor.

neighbors and the value of the property, the continuance of the nuisance will be enjoined. *Adams v. Michael*, 38 Md. 123. In this case it was held that the allegations of the bill that certain consequences would follow from a threatened nuisance were not sufficiently specific to justify the granting of the injunction. In *Chappell v. Funk*, 57 Md. 465, the averments in the bill respecting the injury and nuisance caused by the manufacture of vitriol and sulphuric acid upon premises adjoining those of the plaintiff were held to be sufficient to warrant the granting of an injunction.

The remedy in equity to prevent a nuisance exists whenever the nature of the injury is such that it cannot be adequately compensated by damages, or will occasion a constantly recurring grievance. Especially is an injunction the only effectual remedy when the injury is caused by so many that it would be difficult to apportion the damage, and so damages would probably be but nominal, and repeated actions, without any substantial benefit, the result. *Woodyear v. Schaeffer*, 57 Md. 1. Where the nuisance operates to destroy health or impair the comfortable enjoyment of property, an action at law furnishes no adequate remedy. *Ibid.* Slaughter houses are *prima facie* nuisances. *Ibid.* In this case an injunction was granted on the application of the owner of a flour mill, which had been established for more than twenty years, restraining one of several owners of slaughter houses on the stream above the mill from letting flow down, blood, offal and other offensive matter, which passed into the mill race. See, on this subject generally, *Penn. Co. v. Sanderson*, 94 Pa. St. 402; *Canfield v. Andrew*, 54 Vt. 1; *Robinson v. Black*, 57 Cal. 412; *Pruner v. Pendleton*, 75 Va. 516; *Lockwood Co. v. Laurence*, 1 Eastern Rep. 403, and *post* as to riparian rights.

In the case of a public nuisance an injunction will not be granted unless the plaintiff can show that he has suffered some special damage, different in kind and degree from that suffered by other citizens, or that he is likely to suffer some irreparable injury. *Schall v. Nusbaum*, 56 Md. 513. If a public nuisance causes a substantial injury to a party's property, or the enjoyment thereof, he may apply for an injunction. *Hamilton v. Whitridge*, 11 Md. 129. In this case the maintaining of a bawdy house was restrained. See *Del. R. R. Co. v. Stump*, 8 G. & J. 479, note (b). As to what constitutes a public nuisance and when the same is the subject of an indictment, see *Horner v. State*, 49 Md. 277.

4. *Easements.* Where easements are annexed by grant or covenant, or otherwise, to private estates, the due enjoyment of them will be protected against encroachments by injunction. *Thruston v. Minke*, 32 Md. 497. In this case it was held that an action at law would not afford adequate compensation for the injury done by the violation of a condition in a lease in obstructing the light and ventilation of the third story of a hotel, and that the lessor was entitled to an injunction. In *Glenn v. Davis*, 35 Md. 208, the bill for an injunction against the disturbance of an old wall was dismissed because the easement in the same had been extinguished.

When a party builds a house on the line of his lot with eaves projecting over the adjoining lot, so as to throw thereon the water from the roof, it is a manifest encroachment and twenty years acquiescence therein by the owner of the adjacent lot is sufficient for the presumption of a grant so to use it. *Cherry v. Stein*, 11 Md. 1. But an injunction to prevent the obstruction of such a right will not be granted unless it clearly appears that such obstruc-